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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERNESTO LUCERO,

Defendant.

2:11-CR-168-KJD-(GWF)

FINAL ORDER OF FORFEITURE

On May, 2, 2012, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant ERNESTO LUCERO to the criminal offenses, forfeiting specific property alleged in the Superseding Criminal Indictment and agreed to in the Plea Memorandum and shown by the United States to have a requisite nexus to the offense to which defendant ERNESTO LUCERO pled guilty. Superseding Criminal Indictment, ECF No. 15, Minutes of Change of Plea Proceedings, ECF No. 42; Plea Memorandum, ECF No. 43; Preliminary Order of Forfeiture, ECF No. 44.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from May 8, 2012, through June 6, 2012, further notifying all known third parties by personal service, of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 46. Notice of Filing Service of Process, ECF No. 49.

1 On June 29, 2012, The United States Marshals Service personally served Victor Smith with
2 the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process, ECF No. 49.

3 On July 2, 2012, Victor Smith filed a Claim with the court. On September 4, 2012, a Petition,
4 Stipulation for Return of Property and Order was filed with the court. On September 7, 2012, the
5 Order Granting the Petition, Stipulation for Return of Property was entered. Claim, ECF No. 47;
6 Proposed Petition, Stipulation for Return of Property and Order, ECF No. 52; Order, ECF No. 55.

7 This Court finds no petition was filed herein by or on behalf of any person or entity and the
8 time for filing such petitions and claims has expired.

9 This Court finds no petitions are pending with regard to the assets named herein and the time
10 for presenting such petitions has expired.

11 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
12 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
13 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
14 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section
15 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to
16 law:

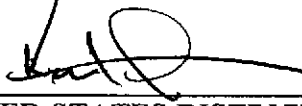
- 17 a. Phoenix Arms Co., Model HP22, .22 caliber semi-automatic handgun, serial
18 number 4164586;
19 b. Smith & Wesson, .22 caliber revolver, serial number K127962; and
20 c. any and all rounds of ammunition.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
22 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
23 as any income derived as a result of the United States of America's management of any property
24 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
25 according to law.

26 ...

1 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
2 certified copies to the United States Attorney's Office.

3 DATED this 15th day of Jan, 2013.

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6 UNITED STATES DISTRICT JUDGE
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